

REMARKS

Applicant would like to thank the Examiner for taking the time to participate in the Examiner interview on July 18, 2006, and in the follow up teleconference on July 27, 2006.

The present amendment is in response to the Final Office Action dated April 19, 2006 and the Advisory Action dated June 23, 2006, wherein the Examiner has rejected claims 1, 3, 6-12 and 17-28. None of the claims have been canceled. Claims 1 and 12 have been amended, as discussed in the Examiner interview and follow up teleconference. Accordingly, claims 1, 3, 6-8, 10-12 and 17-28 are pending in the present application. Reconsideration and allowance of pending claims 1, 3, 6-8, 10-12 and 17-28 in view of the amendments and the following remarks are respectfully requested.

A. Claim Rejections Under §103:

Paragraph 1 of the Office Action rejects claims 1, 6, 11-12, 17 and 22-28 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama (U.S. 6,430,498) in further view of Ghaem (U.S. 5,146,231). Applicant respectfully traverse the rejection because Maruyama in further view of Ghaem fails to make out a *prima facie* case of obviousness.

Certain embodiments of the invention disclosed in the present application are directed to a mobile wireless communication device that includes the ability to present a direction. Further, in certain embodiments, the device can be turned into a directional pointer. This is achieved by defining a screen axis and a

reference axis. Determining a relationship between a magnetic bearing and the reference axis. Aligning the reference axis with the screen axis. Displaying the direction associated with the reference axis on the display screen and determining a direction the screen axis is pointing based on the reference axis and the magnetic bearing. The direction of the reference axis is then displayed. Claim 1 has been amended to clarify the alignment between the reference axis and the screen axis.

Because the screen axis and the reference axis are aligned, the direction displayed will always correspond with the direction of the screen axis. Accordingly, a user can use the device as a directional pointer by simply pointing the device, or more accurately the screen axis, in a certain direction. The device will then display a direction corresponding with the direction the device is being pointed. (See the description of figure 2 on page 7). In other embodiments, a map is also displayed on the display screen. The reference axis is still aligned with the screen axis and the direction displayed is the direction the device is heading on the map.

Accordingly, claim 1, as amended, recites a method for displaying direction comprising "determining a relationship between a magnetic bearing and the reference axis; aligning the reference axis with the screen axis; displaying the reference axis on the display screen; determining a direction the screen axis is pointing based on the relation between the reference axis and the magnetic bearing; and displaying the direction associated with the screen axis on the display screen."

Maruyama and Ghaem, taken either alone or in combination, fail to teach or suggest such subject matter. As recognized in the Office Action, Maruyama is silent on aligning a reference axis with a screen axis and supplying a readout of the direction of the reference axis based on the rotation of the screen axis. However, in contrast to the position taken in the Office, Ghaem also fails to teach or suggest “determining a relationship between a magnetic bearing and the reference axis; aligning the reference axis with the screen axis; displaying the reference axis on the display screen; determining a direction the screen axis is pointing based on the relation between the reference axis and the magnetic bearing; and displaying the direction associated with the screen axis on the display screen.”

Ghaem describes an electronic compass that can display directional vectors, such as North, South, East, and West. In addition, the device taught in Ghaem can display a destination vector that points in the direction of a predetermined destination. (See Figure 1).

The Action states that the true North vector 21 is the equivalent of the reference axis taught in the present application and claimed in claim 1. Accordingly, in order for Ghaem to make up for the deficiencies of Maruyama, Ghaem would have to teach aligning vector 21 with a screen axis such that a direction the screen axis is pointing can be determined based on the relationship between the reference axis and the magnetic bearing. The Action states that the equivalent of the screen axis is the device major axis 18; however, as clearly illustrated in figure 1 of Ghaem, vector 21 is not aligned with major axis 18, but

rather is free to move independently of major axis 18. Although, admittedly some relationship between the two may be maintained. Maintaining a relationship between the reference axis and the major axis is not the same as an alignment that is fixed.

The angular relation between major axis 18 and vector 21 is not fixed. As the device rotates vector 21 will always point North because it is fixedly aligned with North, and not fixedly aligned with the major axis of the device. In other words, it will always point North *independent* of the direction that the device is pointing. This does not mean that there is not an angular relationship between major axis 18 and vector 21. There is an angular relationship. It is not *fixed* so that “a direction the screen axis is pointing” can be determined “based on the relationship between the reference axis and the magnetic bearing” as claimed in claim 1. The relationship changes as the device is moved. Similarly, the reference axis in Maruyama rotates independently.

Accordingly, neither Maruyama or Ghaem, alone or in combination teach the method claimed in claim 1. Applicant therefore respectfully requests withdrawal of the rejection as to claim 1. Further, claims 6, 11, 23-26 and 28 ultimately depend from claim 1 and are allowable for at least the reasons discussed above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection as to claims 6, 11, 23-26 and 28 be withdrawn.

Similar to claim 1, claim 12 recites “a direction circuit configured to: determine a relationship between the magnetic bearing and a reference axis, determine a direction of the reference axis based on the relationship between the

magnetic bearing and the reference axis; and, align the reference axis with the screen axis so that the reference axis always points in the same direction as the screen axis." which Maruyama and Ghaem, alone or in combination, fail to teach as discussed with respect to claim 1. Applicant therefore, respectfully requests that the rejection as to claim 12 be withdrawn.

Claims 17, 22 and 27, ultimately depend from claim 12 and are allowable for at least the reasons discussed above with respect to claim 12. Accordingly, Applicant respectfully requests that the rejection as to claims 17, 22 and 27 be withdrawn.

Paragraph 2 of the Action rejects claim 3 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Farine (U.S. 6,185,157). Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Farine fails to make out a *prima facie* case of obviousness.

Claim 3 ultimately depend from allowable claim 1 and is therefore non-obvious over Maruyama and Ghaem in further view of Farine for at least the reasons discussed above with respect to claim 1 unless Farine makes up for the deficiencies of Maruyama and Ghaem, which it does not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claim 3.

Paragraph 3 of the Action rejects claims 7-8 and 18-19 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Johnson (U.S. 6,366,856). Applicant respectfully traverse the rejection because

Maruyama and Ghaem in further view of Johnson fails to make out a *prima facie* case of obviousness.

Claims 7-8 ultimately depend from allowable claim 1 and are therefore non-obvious over Maruyama and Ghaem in further view of Johnson for at least the reasons discussed above with respect to claim 1 unless Johnson makes up for the deficiencies of Maruyama and Ghaem, which it does not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claims 7-8.

Claims 18-19 ultimately depend from allowable claim 12 and are therefore non-obvious over Maruyama and Ghaem in further view of Johnson for at least the reasons discussed above with respect to claim 12 unless Johnson makes up for the deficiencies of Maruyama and Ghaem, which it does not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claims 18-19.

Paragraph 4 of the Action rejects claim 10 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Johnson (U.S. 6,366,856), Atsushi (JP 10-133568) and Irie (U.S. Pub 2001/0007090). Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Johnson, Atsushi and Irie fails to make out a *prima facie* case of obviousness.

Claim 10 ultimately depends from allowable claim 1 and is therefore non-obvious over Maruyama and Ghaem in further view of Johnson, Atsushi, and Irie for at least the reasons discussed above with respect to claim 1 unless Atsushi and Irie, alone or in combination, make up for the deficiencies of Maruyama and Ghaem, which they do not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claim 10.

Paragraph 5 of the Action rejects claims 20-21 under 35 U.S.C. § 103(a) as being obvious in view of Maruyama and Ghaem in further view of Atsushi and Irie. Applicant respectfully traverse the rejection because Maruyama and Ghaem in further view of Atsushi and Irie fails to make out a *prima facie* case of obviousness. Claims 20-21 ultimately depend from allowable claim 12 and are therefore non-obvious over Maruyama and Ghaem in further view of Atsushi and Irie for at least the reasons discussed above with respect to claim 12 unless Atsushi and Irie, alone or in combination, make up for the deficiencies of Maruyama and Ghaem, which they do not. Accordingly, Applicant respectfully requests withdrawal of the rejections as to claims 20-21.

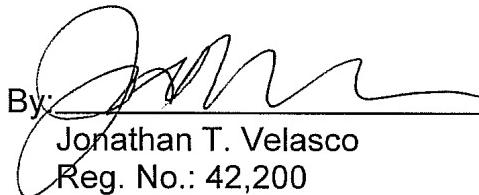
B. CONCLUSION

For all the foregoing reasons, allowance of claims 1, 3, 6-8, 10-12 and 17-29 pending in the present application is respectfully requested. Payment of the RCE fee and the fee for a two-month extension of time for reply under the provisions of 37 CFR 1.136(a) accompanies this submission. No other fee is believed due. However, if necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to further extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully submitted,

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By:


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